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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,021	11/27/2001	Pahngroc Oh	10541-809	9545
29074	7590	05/10/2004	EXAMINER	
VISTEON C/O BRINKS HOFER GILSON & LIONE CHICAGO, IL 60610			NGUYEN, PHUNG	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,021	OH, PAHNGROC	
	Examiner	Art Unit	
	Phung T Nguyen	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>052004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6, 9, 10, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Massara et al. (U.S. Pat. 5,707,109).

Regarding claim 1: Massara et al. disclose acceleration compensating vehicular seat assembly comprising a seating system having a seat section and a back section, an adjustable bolster coupled to one of said seat section and said back section (figure 1, col. 2, lines 10-17), and a control unit 32 coupled to said adjustable bolster and adapted to receive vehicle data and to activate said adjustable bolster (col. 5, lines 61-65), and a shared sensor 34 coupled to said control unit of said seating system and to another system in the vehicle and adapted to collect and transmit vehicle data (col. 2, lines 51-65).

Regarding claim 2: Massara et al. disclose wherein said shared sensor is coupled to a vehicle dynamics system of the vehicle (col. 3, lines 9-12).

Regarding claim 6: Massara et al. disclose wherein the vehicle data includes lateral acceleration data (col. 2, lines 64-64).

Regarding claim 9: All the claimed subject matter is already discussed in respect to claim 1 above.

Regarding claim 10: Refer to claim 2 above.

Regarding claim 14: Refer to claim 6 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Massara et al. in view of Levine (U.S. Pat. 6,691,015).

Regarding claim 3: Massara et al. teach the vehicle dynamics system is adapted to measure acceleration in the vehicular environment (col. 3, lines 9-12) but do not teach wherein the vehicle dynamics system is adapted to control a braking subsystem of the vehicle dynamics system of the vehicle. However, using the vehicle dynamics system is adapted to control a braking subsystem of the vehicle dynamics system of the vehicle is old and known in the art as taught by Levine (col. 2, lines 41-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Levine and Massara et al. for safety purposes.

Regarding claim 11: Refer to claim 3 above.

5. Claims 4, 5, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Massara et al. in view of Cech et al. (U.S. Pat. 6,056,079).

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Regarding claim 4: Massara et al. do not disclose the shared sensor is coupled to a safety system of the vehicle. However, Cech et al. teach an automotive seat weight sensing system comprising the sensor is coupled to a safety system of the vehicle as shown in figure 1, col. 7, lines 49-51, and col. 11, lines 12-19. Therefore, it would be obvious to one of ordinary skill in the art to utilize the teaching of Cech et al. in the system of Massara et al. because they both teach a system for controlling a vehicle safety restraint system. It is seen that using the shared sensor is coupled to a safety system of the vehicle as taught by Cech et al. would enhance the system of Massara et al. by reducing the risk of injury to the occupants.

Regarding claim 5: Cech et al. disclose the safety system is adapted to control an inflatable restraint subsystem of the safety system of the vehicle (col. 11, lines 12-19).

Regarding claim 12: Refer to claim 4 above.

Regarding claim 13: Refer to claim 5 above.

6. Claims 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Massara et al. (U.S. Pat. 5,707,109).

Regarding claims 7 and 8: Massara et al. teach the vehicle data including vehicle speed data (col. 3, lines 9-12) but do not teach vehicle steering wheel angle data and yaw rate data. Since Massara et al. teach the vehicle speed data, it would be obvious to the skilled artisan to add additional sensors such as the vehicle steering wheel angle data and yaw rate data in order to extend the use of the device.

Regarding claims 15 and 16: Refer to claims 7 and 8 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Koutsky et al. [U.S. Pat. 6,059,253] disclose an active suspension system for vehicle seats.

b. Amirouche [U.S. Pat. 5,536,059] discloses a seat suspension system using human body response.

c. Catanzarite [U.S. Pat. 5,652,704] discloses a controllable seat damper system and control method therefor.

d. Sewell et al. [U.S. Pat. 5,927,427] disclose a seat weight having self-regulating fluid filled bladder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 703-308-6252. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 703-308-6730. The fax numbers for the organization where this application or proceeding is assigned are 703-305-3988 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

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Examiner: Phung Nguyen

A handwritten signature in black ink, appearing to read 'Phung Nguyen', with a long horizontal flourish extending to the right.

Date: May 12, 2004